

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

ANNA QUITORIANO, :

Plaintiff, :

- against - :

RAFF & BECKER, ESQ., :

Defendant. :

- - - - -x

**CHIN, District Judge**

In a memorandum decision dated December 29, 2009, I granted defendant Raff & Becker's motion to dismiss plaintiff Anna Quitoriano's amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). Fed. R. Civ. P. 12(b)(6). Plaintiff now moves for reconsideration of that decision. For the reasons set forth in the memorandum decision, the motion for reconsideration is denied. I add the following:

In the memorandum decision, I dismissed plaintiff's amended complaint because Special Master Raff is judicially immune from civil liability. I noted further that, even if Raff were not judicially immune, the amended complaint would be dismissed because defendant Raff & Becker is neither plaintiff's employer nor a labor organization under the plain meaning of the relevant statutes. Plaintiff does not dispute either of these findings. Rather, plaintiff moves for reconsideration based on (1) her extreme financial and physical difficulties and (2) the fact that she has exhausted the union's internal mechanisms for relief.

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ORDER

09 Civ. 5507 (DC)

Although plaintiff's physical and financial status is unfortunate, it is not a basis for reconsideration. Further, the fact that plaintiff pursued internal mechanisms for relief has no bearing on my finding that Raff & Becker is not subject to liability on plaintiff's claims due to Special Master Raff's judicial immunity. Finally, I note again, as I did in the December 29, 2009, memorandum decision, that, to the extent plaintiff claims that the hiring hall system has not operated properly, she must pursue the remedies available to her in EEOC v. Local 638 & Local 28, 12 Fair Empl. Prac. Cas. (BNA) 733, ¶ 15 (S.D.N.Y. Aug. 28, 1975). The Court encloses a copy of the Local 638 & Local 28 Order and Judgment, and refers plaintiff to paragraph 15.

Thus, for the reasons set forth above and those in the December 29, 2009, memorandum decision, the motion for reconsideration is HEREBY DENIED.

SO ORDERED.

Dated: New York, New York  
January 20, 2010

  
DENNY CHIN  
United States District Judge